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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP-24790-2016
Date of decision : 01.12.2016**

Rajpal Singh

..... Petitioner

VERSUS

Haryana State Federation of Cooperative Sugar Mills Limited and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Singal, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J.(Oral)

The petitioner seeking direction to the respondents to consider and promote him as Driver alongwith consequential benefits. The petitioner was appointed as unskilled Mazdoor on 03.03.1998 (Annexure P-1) on compassionate basis in lieu of death of his father. The services of the petitioner was confirmed on 27.02.1999 (Annexure P-2).

It is the case of the petitioner that he has been performing the duty of driver since 2002 as reflected in the order dated 19.09.2002 (Annexure P-2) and hence, he is entitled to be considered for promotion to the post of Driver.

Learned counsel for the petitioner further states that the recruitment rules as applicable to the employees of the Cooperative Sugar

Mills in the State of Haryana stipulate that the post of Driver has to be filled through promotion, deputation or direct recruitment. In Note-IV of the Rules, it is provided that only in case suitable candidate is not available for promotion, the post shall be filled by direct recruitment.

Learned counsel for the petitioner has also drawn my attention to the legal notice sent to the respondents on 07.10.2016, which has failed to evoke any response.

Without making any observations in merits of the case, I deem it appropriate to dispose of the petition with a direction to respondent No.2 to consider and decide the legal notice of the petitioner, in accordance with law, within a period of four months from the date of receipt of certified copy of this order.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

December 01, 2016

Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

Yes / No